

NORTH CAROLINA COURT OF APPEALS

CHARITY MAINVILLE,
Plaintiff-Petitioner,

v.

THE HONORABLE VARTAN A.
DAVIDIAN III,
Judicial Respondent,
and
ANNA DE SANTIS and
DE SANTIS RENTALS, LLC,
Defendants-Respondents

FROM WAKE COUNTY
24-CV-022933-910

**MOTION TO REFUND UNLAWFULLY ASSESSED FEES FOR WRIT-RELATED
FILINGS**

TO THE HONORABLE NORTH CAROLINA COURT OF APPEALS:

NOW COMES Plaintiff-Appellant Charity Mainville, pro se, respectfully
requesting a full refund of improperly charged fees related to her writ filings in the
above-captioned matter. In support of this Motion, Plaintiff shows the following:

1. Appendix F of the North Carolina Rules of Appellate Procedure, as issued by
order of the Supreme Court, expressly states: "There is no fee for filing a
motion in a cause."

2. Despite this, Plaintiff was charged a \$10.00 fee for nine (9) separate motions between February and May 2025, including motions for sanctions, clarification, and relief in connection with pending writ matters. The only fees authorized under Appendix F are docketing fees for the initial filing of a Notice of Appeal, Petition for Discretionary Review, Petition for Writ of Certiorari, or Petition for Writ of Supersedeas—each assessed once at \$10.00. Plaintiff's filings included a Writ of Supersedeas and a Writ of Prohibition, for which a total of \$20.00 was properly paid. The remaining \$90.00 in motion-related charges were unauthorized.
3. These charges are not authorized under any rule, statute, or administrative order, and are in direct violation of the governing fee structure.
4. Plaintiff paid these fees in reliance on formal invoices issued by the Court and under the good-faith belief that the charges were valid, trusting that a judicial institution would not impose fees contrary to its own published rules, and now seeks a full refund of the improperly assessed total of \$90.00
5. This request is made in good faith and preserves Plaintiff's right to raise this issue as part of ongoing federal litigation concerning retaliation, unequal treatment, and constitutional access violations.

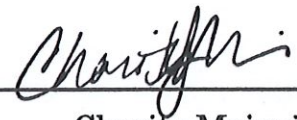
WHEREFORE, Plaintiff respectfully requests that the Court:

1. Acknowledge the improper imposition of motion-related docket fees;
2. Remove any pending invoices related to motion filings

D.C.

3. Issue an order refunding the \$90.00 previously paid in error; and
4. Identify the judicial officer, if any, who authorized the imposition of fees for motion filings in this matter, contrary to the published rules of appellate procedure.

Respectfully submitted, This the 10th day of June, 2025.



Charity Mainville
Plaintiff-Petitioner, Pro Se
2025 Watchorn St, Apt 504
Durham, NC 27703
(608) 215-6654
camainville@gmail.com

Ex.C

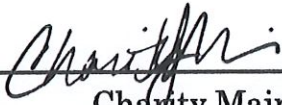
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION TO REFUND UNLAWFULLY ASSESSED FEES FOR WRIT-RELATED FILINGS was served via electronic mail, as permitted under Rule 26(c) of the North Carolina Rules of Appellate Procedure, to the following recipients:

- David M. Yopp (Counsel for Respondents)

Email: dmyopp@hatchlittlebunn.com

This the 10th day of June, 2025.



Charity Mainville
Plaintiff-Petitioner, Pro Se
2025 Watchorn St, Apt 504
Durham, NC 27703
(608) 215-6654
camainville@gmail.com